



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

Applicant(s): Vincent

Attorney Docket No.: 104035-9

Serial No.: 10/763,138

Examiner: Susan Emily Fernandez

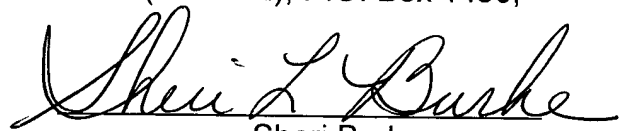
Filing Date: 1/22/2004

Art Unit: 1651

Entitled: METHOD AND APPARATUS
FOR DETECTING PHYCOCYANIN-PIGMENTED
ALGAE AND BACTERIA FROM REFLECTED LIGHT

Certificate of Mailing Under 37 C.F.R. § 1.10(A)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service, as Express Mail No. ED 467539946US in an envelope addressed to the Commissioner of Patents, MAIL STOP – AMENDMENT (NO FEE), P.O. Box 1450, Alexandria, Virginia 22313-1450



Sheri Burke

Commissioner of Patents
MAIL STOP – AMENDMENT (NO FEE)
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Alexandria, Virginia 22313-1450

Petition to Accept Color Photographs under 37 C.F.R. 1.84(b)(2)

Applicant hereby petitions the Commissioner to accept color photographs as Figures 1, 6, 7 and 11 – 14 of the subject application.

Applicant respectfully submits that the photographs submitted are necessary to explaining the results obtained using the invention as they represent colored photographs expressing the amounts of microorganisms determine using the method of the present invention where the color indicates the approximate concentration thereof. A color key is accordingly provided in the specification.

Applicants respectfully submit that the color photographs submitted herewith comply with the requirements of 37 C.F.R. 1.84(a)(2) in that (1) the fee set forth in 1.17(i) is included herewith; (2) three (3) sets of color photographs are submitted herewith; and

(3) the specification has been amended to contain the following language as the first paragraph in that portion of the specification relating to the brief description of the drawing: "The file of this patent contains at least one drawing executed in color. Copies of this patent with color drawing(s) will be provided by the Patent and Trademark Office upon request and payment of the necessary fee."

In view of the foregoing, Applicant respectfully submits that the Commissioner may accept color photographs as Figures 1, 6, 7 and 11 – 14 of the subject application.

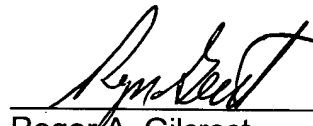
Respectfully submitted,

ROBERT VINCENT

Date:

April 18, 2005

By:



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